

# EXHIBIT D

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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04818 (SMB)

Plaintiff,

v.

TOBY HARWOOD,

Defendants.

**NOTICE OF DEPOSITION OF DEFENDANT TOBY HARWOOD**

To: Helen Davis Chaitman  
Chaitman LLP  
465 Park Avenue  
New York, NY 10022

PLEASE TAKE NOTICE, that pursuant to Rule 30 of the Federal Rules of Civil Procedure and Rule 7030 of the Federal Rules of Bankruptcy Procedure, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”) and Bernard L. Madoff (“Madoff”), by and through his counsel Baker & Hostetler LLP, will take the deposition, upon oral examination, of **Toby Harwood** in Adversary Proceeding Number 10-05079, before a notary public or other person authorized to administer oaths on **Thursday, October 20, 2016 at 10:00AM** Eastern Standard Time at the offices of Baker Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111, and subject to videotaping at Trustee’s option.

The deposition will continue from day to day as necessary. You are invited to attend and cross-examine.

Dated: August 26, 2016

Of Counsel:

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/s/ Nicholas J. Cremona

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*Attorneys for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
of Bernard L. Madoff*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served this 26th day of August, 2016 by certified mail and electronic mail upon the following:

Helen Davis Chaitman  
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